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HARYANA GOVERNMENT

HARYANA ELECTRICITY REGULATORY COMMISSION

BAYS NO. 33-36, SECTOR-4, PANCHKULA-134112

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Notification

The 14th June, 2019

Regulation No. HERC/40/2018/2nd Amendment/2019:- In exercise of the powers conferred on it by section 181 of the Electricity Act 2003 (Act 36 of 2003) and all other powers enabling it in this behalf, the Haryana Electricity Regulatory Commission makes the following regulations to partially amend the Haryana Electricity Regulatory Commission (Terms and Conditions for determination of Tariff from Renewable Energy Sources, Renewable Purchase Obligation and Renewable Energy Certificate) Regulations, 2017, as under:-

1. Short title, commencement and interpretation.

- (1) These Regulations may be called the Haryana Electricity Regulatory Commission (Terms and Conditions for determination of Tariff from Renewable Energy Sources, Renewable Purchase Obligation and Renewable Energy Certificate) Regulations (2nd Amendment), 2017.
- (2) These Regulations shall come into force w.e.f. the date of notification in the Haryana Government Gazettee.
- (3) These Regulations shall extend to whole of the State of Haryana.

2. Amendment of Regulation 54

The following shall replace Regulation 54 and shall be read as under:-

54. Renewable Purchase Obligation –

- (1) Every obligated entity including distribution licensee, consumers owning captive power plant and open access consumers including short term open access consumers in Haryana, shall
(1999)

purchase energy from renewable energy sources under the Renewable Purchase Obligation (RPO) as under:—

FY	Existing Total RPO (%) of Consumption		Revised Minimum RPO (%) of Total Consumption Excluding Hydro	
	Total RPO	Solar	Non Solar	Solar
2016-17	3.75	1.0	2.75	1.00
2017-18	4.00	1.25	2.75	2.50
2018-19	4.50	1.50	3.00	4.00
2019-20	4.75	2.00	3.00	5.50
2020-21	5.00	2.50	3.00	7.00
2021-22	5.50	3.00	3.00	8.00

- (2) Provided that solar renewable purchase obligation specified above shall be procured from generation based on solar energy sources only.
- (3) RPO for fossil fuel based Captive Power Plants (CPP) of 5 MW and above including Fossil fuel based co-generation captive plant of 5MW and above, shall be pegged at the RPO level applicable in the year in which CPP is commissioned. However, RPO of such plants commissioned up to 2018-19 shall be pegged at RPO applicable for the FY 2018-19. As and when the company add to the capacity of the CPP, it will have to provide for additional RPO as obligated in the year in which new capacity is commissioned.
- (4) The DISCOMs, while complying with the RPO, shall ensure trade-off between REC & purchase of RE Power and take financial prudent action accordingly.

Provided further, such obligation to purchase renewable energy shall be inclusive of the purchases, if any, from renewable energy sources already being made by obligated entity concerned.

Provided also that the power purchases under the power purchase agreements for the purchase of renewable energy sources already entered into by the distribution licensees and consented to by the Commission shall continue to be made till validity of the Power Purchase Agreement approved by the Commission, even if the total purchases under such agreements exceed the RPO as specified in these regulations.

Provided also that the issue of interchangeability of solar and non-solar RPO, if decided in favour at Central level, shall be applicable under these Regulations.

3. Amendment of Regulation 58

The following shall replace Regulation 58 and shall be read as under:—

58. Banking of RE Power —RE based captive generating plants in the State may bank power for captive/own use on payment of the banking charges along with the transmission and distribution losses (Technical loss) for availing the open access on the transmission or distribution network of the licensees for banking and drawl of banked power from the Discoms after entering into the banking agreement with the concerned Discoms at the terms and condition specified in the agreement, as follows:

1. The RE power shall be allowed to be banked with the distribution licensee(s) subject to the condition that 5% of power banked in (kind) shall be deducted toward banking charges.
2. The Energy Banked shall be permitted to be carried forward from month to month. The banked power shall be utilized within the same financial year failing which the unutilized energy at the end of the financial year shall lapse, and no compensation whatsoever shall be claimed/ paid for such lapsed banked energy, provided the solar energy banked during the last quarter of the financial year shall be carried forward to the next financial year.
3. The banking shall be allowed throughout the year, however, the drawl of banked power shall not be allowed during the peak months (July to mid October).

4. The drawl of bank power shall also be not allowed during peak load hours as mentioned in the ToD tariff approved by the Commission.
5. The Banked Energy Shall be calculated at the end of a month as follows:-
 Banked Energy at the end of month (E_{bi}) = $\{E_g(1-\text{losses})-E_c\} * (1-b) + E_b(i-1)$
 * E_g = Energy Generation for the i th month
 * E_c = Energy consumption for the i th month
 * $E_b(i-1)$ = Energy Banked at the end of previous month
 * b = Banking charges in kind.

Further, as far as scheduling and deviation mechanism is concerned, the Commission in the process of finalization of Regulations on forecasting, scheduling and settlement and once these Regulations are notified the same shall be applicable.

The RE power shall be adjusted as first charge in order of consumption of energy by a consumer. The banking will be counted on daily basis for the purpose of monthly account.

Settlement of wheeled energy at consumer End shall be in the following priority:

1. RE generation after deduction of losses.
2. Captive Power
3. Banked Energy
4. Open Access Power through Exchange
5. Discom power

4. Amendment of Regulation 59

The following clarification shall be inserted after Regulation 59:-

Transmission/Distribution Licensee shall bear the cost of Extra High Voltage (EHV)/ High Voltage (HV) transmission line up to a distance of 10 km and shared cost after 10KM, only in the case where the power is to be supplied to DISCOMs under approved PPA. RE Power producers installed by Independent Power Producers (IPP) for merchant sale or captive consumption, should bear the cost themselves.

It is further clarified that the terms & conditions for cost of evacuation of power in respect of PPA entered into by DISCOMs/HPPC with RE Power Producers under competitive bidding, shall be governed by the terms of such PPA.

5. Amendment of Regulation 60

The following shall replace Regulation 60 and shall be read as under:-

60 (1) Notwithstanding anything contained in any other Regulation(s) notified by the Commission, Wheeling and Transmission Charges will be exempted for the entire life of the project from the date of commissioning for all Captive Solar Power Projects which have submitted applications to Haryana Renewable Energy Development Agency (HAREDA) for registration of project, purchased land or have taken land on lease for thirty years and have bought equipment & machinery or invested at least Rs. one crore per Mega Watt for purchase of equipment & machinery for setting up of such Captive Solar Power Projects till 13th February, 2019, while cross subsidy surcharges and additional surcharges are not applicable for Captive Solar Power Projects as per provisions of HERC Regulations (Electricity Act 2003). For determining the investment of Rs. One crore per MW, payment for equipment should be made into the bank accounts of equipment supplier before 13th February, 2019 and proof of the same is to be submitted.

(2) No waiver of wheeling and transmission charges, cross subsidy surcharges and additional surcharges shall be given to solar/non solar power Projects set up by IPP/generators for third party sale.

(3) Against the waivers, Renewable Purchase Obligation (RPO) benefit will be provided to Power Utilities.

However, the losses, as determined by the Commission, shall be recovered in kind by the Haryana Power Utilities. Further, banking charges as per these Regulations, shall be applicable so that the Haryana Power Utilities are not burdened un-reasonably.

6. Amendment of Regulation 64

The following clarification shall be inserted after Regulation 64 (a):—

- a) In this regard, it is further clarified that the consumers shall be allowed to install Rooftop solar power plant irrespective of their sanctioned load. Such consumers shall be allowed to sell the power so generated to HPPC at their least discovered solar power procurement price of latest preceding financial year. However, benefit of net metering shall not be allowed to such consumers. DISCOMs shall allow grid connectivity to such consumers within 15 days from the date of application.

The following clauses shall be inserted after Regulation 64 (c):—

- (d) Solar power developers shall procure a Certificate from irrigation & water resources department/public health engineering department regarding availability/feasibility of installation of solar power plant on canal/river/reservoir/nallah/water works etc., before going ahead with the project. The prospective developer shall proceed in the matter with concurrence of the department concerned and HAREDA.
- (e) In order to promote Solar Power generation in Haryana along with battery storage, smart meter and smart grid, the licensees shall provide minimum incentive of Rs. 1/- unit for minimum period of 5 years. However, battery storage so installed should be of the minimum capacity equivalent to contract load. The incentive payable under these Regulations shall be reviewed by the Commission every year along with ARR/Tariff petition for that year and shall be made revenue neutral while issuing Order on the ARR/Tariff petition of the licensees.

By the Order of the Commission.

Panchkula:
The 13th May, 2019.

Director (Tariff)
HERC, Panchkula.